

JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Ab Initio Software Corporation

(b) County of Residence of First Listed Plaintiff Middlesex
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Wilmer Cutler Pickering Hale and Dorr LLP
399 Park Avenue, NY, NY 10022, 212-230-8800

DEFENDANTS

Crestech Enterprises, Inc.

County of Residence of First Listed Defendant Morris
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|-----------------------------------------|----------------------------|----------------------------|---------------------------------------------------------------|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input checked="" type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
17 U.S.C. Sec. 101, 15 U.S.C. Sec. 1114 (a)

Brief description of cause:
 Ab Initio Software alleges that Crestech has used its software violating Ab Initio's copyrights and trademarks

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

7/12/06

Thomas G. Koffler

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of _____

Ab Initio Software Corporation

SUMMONS IN A CIVIL ACTION

V.

Crestech Enterprises, Inc.

CASE NUMBER: _____

TO: (Name and address of Defendant)

Crestech Enterprises, Inc.
188 Route 10 West,
Suite 202
East Hanover, New Jersey 07936

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Wilmer Cutler Pickering Hale and Dorr LLP
399 Park Avenue
New York, NY 10022
(212) 230-8800

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p style="text-align: center;">I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> Executed on _____ <div style="text-align: center; font-size: small;">Date</div> </div> <div style="width: 60%;"> _____ <div style="text-align: center; font-size: small;">Signature of Server</div> </div> </div> <div style="text-align: center;"> _____ <div style="text-align: center; font-size: small;">Address of Server</div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

AB INITIO SOFTWARE CORPORATION,

Plaintiff,

v.

CRESTECH ENTERPRISES INC.,

Defendant.

**VERIFIED COMPLAINT
FOR INJUNCTIVE RELIEF
AND DAMAGES**

NATURE OF ACTION

Ab Initio Software Corporation (“Ab Initio”) brings this action against Crestech Enterprises, Inc. (“Crestech”) for violations of The Copyright Act, 17 U.S.C. §101 et seq., violations of the Lanham Act, 15 U.S.C. §§1114(a) and 1125(a), conversion, unjust enrichment and misappropriation of trade secrets—all arising from defendant’s illegal and unlawful copying and use of computer software and related manuals created and copyrighted by Ab Initio. Pursuant to 17 U.S.C. §502 and Fed R. Civ. P. 65 and NJ Court Rules Annotated, R4:52-1, Ab Initio seeks permanent injunctive relief as well as monetary damages.

PARTIES

1. Plaintiff Ab Initio is a Delaware corporation with a principal place of business at 201 Spring Street, Lexington, Massachusetts 02421.
2. Upon information and belief, defendant Crestech is a corporation with a principal place of business at 188 Route 10 West, Suite 202, East Hanover, New Jersey 07936.
3. Upon information and belief, the President of Crestech is Moin Ansari, with an address of 188 Route 10 West, Suite 202, East Hanover, New Jersey 07936.

JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction over the claims in this Action pursuant to the provisions of 17 U.S.C. §101 et seq., 28 U.S.C. §1338(a), 28 U.S.C. §1331, and 15 U.S.C. §1116. This Court has supplemental jurisdiction over Ab Initio's state law claims pursuant to 28 U.S.C. §1367(a).

5. This Court has personal jurisdiction over defendant because, among other reasons, it is found in New Jersey, it regularly transacts business in New Jersey, and defendant's conduct has resulted in injury to Ab Initio in New Jersey.

6. Venue is proper in this Court pursuant to 28 U.S.C. §§1391 and 1400.

FACTS

7. Ab Initio is a leading provider of computer software products used to build, power and manage mission critical information processing systems. Ab Initio's core product, the "Co>Operating System," provides a powerful, general-purpose computing platform that delivers crucial processing capabilities including distributed and parallel execution, platform-independent data transport, check pointing and process monitoring. The "Co>Operating System" provides cutting edge performance even when processing different types of data and when run on disparate hardware platforms or otherwise dissonant technologies. Ab Initio's software products also include its "Graphical Development Environment" ("GDE") which allows for the creation of applications by dragging and dropping components onto a canvas, configuring them with point and click operations, and connecting them into executable flow charts.

8. Over the past ten years, Ab Initio has licensed its software to many of the world's largest financial, telecommunications, retail, transportation, insurance and healthcare companies. Currently, approximately 25% of Fortune 500 companies are Ab Initio customers.

9. Ab Initio licenses its software products directly (*i.e.* not through dealers, distributors, or other “product channel” means) and only to end-user customers under license terms that prohibit each customer from disclosing such software to any third party not under a non-disclosure agreement with the customer, and then only in order to provide needed services to such customer.

10. Ab Initio provides training for its customers on its products. Ab Initio has developed training manuals and tutorials (collectively “Manuals”) which it provides only to licensees and technical partners, and then only pursuant to nondisclosure agreements. Proper training is critical to the optimal use of Ab Initio’s software products, which typically allow for performance that is at least several orders of magnitude faster than that offered by its closest competitors. If a developer is not properly trained and either misuses or does not use Ab Initio’s product to its full potential, Ab Initio’s customers will not realize the speed and performance of Ab Initio’s software and Ab Initio will suffer competitive harm in the market.

11. Ab Initio has a copyright in and has applied for copyright registrations for its Co>Operating System and its Graphical Development Environment. (See Exhibit A attached hereto which contains copies of the above-referenced applications.)

12. The Ab Initio mark is owned by Ab Initio and is the subject of United States Trademark Registration Nos. 2498581, 2484167, and 2942353. The Ab Initio mark has been used extensively in connection with software installations throughout the United States. The Ab Initio mark is famous in the market for data processing applications and is associated with Ab Initio, its affiliates, and its licensees, and their excellent reputation and success. Ab Initio has gone to great lengths to protect its mark from unauthorized use.

CRESTECH

13. Crestech actively advertises on its website that it provides training on Ab Initio software products. Crestech has advertised that it “offers Ab Initio training for our clients” and that it “offers a complete suite of Ab Initio, Datawarehousing, Data Modeling, and database training programs. Be they relational databases like ... Ab Initio ..., Crestech offers the right programs for you.” (See Exhibit B, a true and accurate copy of the Crestech website). Further, Crestech describes courses its offers as including “Ab Initio Certified Database Expert,” “Ab Initio Database Architect,” “Ab Initio Database Programmer,” “Ab Initio Data Modeler,” “Ab Initio Database Professional,” “Ab Initio Decision Support System Specialist,” “Ab Initio Database Programming Specialist,” “Ab Initio Data Modeling Specialist,” “Ab Initio Application Performance,” “Ab Initio cooperating system, GDE and EME upgrades,” and “Ab Initio Design and Development.” In short, Crestech claims to provide training at all levels on Ab Initio products, including those for an “Ab Initio certified database expert.”

14. According to its website, Crestech is currently engaged in providing training on Ab Initio products and is actively soliciting students to be trained on Ab Initio products. However, Crestech is not—and has never been—a licensee of Ab Initio or in any way authorized to provide training on Ab Initio products. Crestech has never sought or received permission from Ab Initio to provide training on Ab Initio products.

15. Upon information and belief, the only way that Crestech can provide training on “a complete suite of Ab Initio” programs, as it claims to do, is by copying and using Ab Initio products as part of such training. A person cannot be trained at any level, much less to the level of “certified expert” or “programmer” or “specialist,” unless he or she is trained using the product itself. When Crestech uses Ab Initio’s software on a computer system for training, it

necessarily copies the software onto its computer system to run. Crestech has never been authorized, licensed, or in any way permitted to copy, use or possess any Ab Initio product or software. Any use by Crestech of Ab Initio products is unlawful.

16. Ab Initio has never sold or licensed any of its products to Crestech. Crestech has never bought or licensed any Ab Initio product from Ab Initio, which is the only legitimate source and sole licensor of such products.

17. Upon information and belief, Crestech has come into possession of one or more copies of Ab Initio software unlawfully, either by purchasing such software on the black market or by making an illegal copy of the software.

18. Crestech has used Ab Initio's protected trademark in its advertisements for training on Ab Initio software products. Ab Initio has never authorized Crestech to use Ab Initio's trademark in its advertisements, on its website or within metatags.

COUNT II

(Copyright infringement under 17 U.S.C. §501)

19. Ab Initio repeats and incorporates the allegations contained in the preceding paragraphs as fully as if set forth here.

20. Ab Initio is the owner of copyrighted works entitled "Co>operating System" and "The Graphical Development Environment" (the "Works") for which applications for registration have been issued by the United States Copyright Office.

21. As copyright owner of the "Works," Ab Initio owns exclusive rights, among others, to copy the Works and to distribute copies of the Works by sale or other transfer of ownership, or by rental, lease or lending.

22. By Crestech's act and conduct, including but not limited to that which is described above, Crestech has infringed Ab Initio's copyrights in the Works by, without limitation,

copying the Works and preparing derivative works based on the Works without Ab Initio's permission.

23. Crestech's infringement of Ab Initio's copyrights has been willful and knowing.

24. Ab Initio has suffered and will continue to suffer irreparable harm from the unauthorized copying of the Works or derivations of the Works unless Crestech is enjoined pursuant to 17 U.S.C. §502 from continuing its illegal conduct. Ab Initio has no adequate remedy at law.

25. As a result of Crestech's infringement of Ab Initio's copyrights, Ab Initio has and continues to suffer irreparable harm, damages, and has been forced to incur attorneys' fees and other expenses to protect its copyright. In contrast, Crestech has wrongfully earned profits by copying the Works and derivations of the Works without Ab Initio's consent.

COUNT III

(Federal Trademark Infringement under 15 U.S.C. §1114(a))

26. Ab Initio repeats and incorporates the allegations contained in the preceding paragraphs as fully as if set forth here.

27. By Crestech's use of Ab Initio's protected trademarks in its advertisements for software training, Crestech has created confusion and misled consumers into believing that it is associated or affiliated with Ab Initio or authorized to provide training on Ab Initio software products.

28. Crestech has not been authorized to use Ab Initio's trademark and is not—and never has been—associated with Ab Initio. Crestech has never been authorized to provide training on Ab Initio software products.

29. Ab Initio has suffered and will continue to suffer irreparable diminution of its goodwill and reputation as to which it has no adequate remedy at law, unless Crestech is enjoined from making any further advertisements that unlawfully use the Ab Initio trademark.

COUNT IV

(Federal Unfair Competition under 15 U.S.C. §1125(a))

30. Ab Initio repeats and incorporates the allegations contained in the preceding paragraphs as fully as if set forth here.

31. By Crestech's advertisements, Crestech has created confusion and misled consumers into believing that they are affiliated with Ab Initio or authorized to provide training on Ab Initio software products by claiming their unlawful copies of Ab Initio software were authorized and licensed.

32. Crestech is not now - and has not ever - been associated with Ab Initio in any way. Crestech has never been authorized to provide training on Ab Initio products and has never had authorized or licensed copies of Ab Initio's software.

33. Ab Initio has suffered and will continue to suffer irreparable diminution of its goodwill and reputation as to which it has no adequate remedy at law, unless Crestech is enjoined from making any further advertisements with regard to Ab Initio or Ab Initio products.

COUNT V

(Conversion)

34. Ab Initio repeats and incorporates the allegations contained in the preceding paragraphs as fully as if set forth here.

35. Crestech has unlawfully taken and converted to its own use Ab Initio's Works.

36. Crestech has continued to retain without lawful right all such materials and has failed to return them to Ab Initio.

37. As a result of Crestech's unlawful conversion of Ab Initio's property, Ab Initio has suffered and continues to suffer substantial damages and irreparable harm.

COUNT VI

(Unjust Enrichment)

38. Ab Initio repeats and incorporates the allegations contained in the preceding paragraphs as fully as if set forth here.

39. Crestech is deriving economic benefits from its unauthorized and unlawful use of Ab Initio's property rights by offering training to third parties, and, upon information and belief, being compensated to provide such training. Such compensation is unjustly earned by Crestech and rightfully belongs to Ab Initio.

COUNT VII

(Common Law Misappropriation of Trade Secrets)

40. Ab Initio repeats and incorporates the allegations contained in the preceding paragraphs as fully as if set forth here.

41. Ab Initio's Co>Operating System and GDE software and related Manuals constitute trade secrets and confidential information of Ab Initio.

42. Ab Initio has taken significant measures to guard the secrecy and confidentiality of its Co>Operating System and GDE software and Manuals. Ab Initio licenses these software products and manuals directly and only to end-user customers under license terms that prohibit each customer from disclosing such software to any third party not under a non-disclosure agreement with the customer, and then only in order to provide needed services to such customer. It further marks all such software and Manuals "confidential."

43. Ab Initio provides Manuals only to licensees and technical parties under nondisclosure agreements. Ab Initio numbers each Manual and tracks where each is delivered.

Ab Initio's Manuals contain legends stating that they are confidential and a trade secret and that any reproduction of the Manual is strictly prohibited.

44. Ab Initio derives value from licensing its software and providing Manuals to many of the world's largest financial, telecommunications, retail, transportation, insurance and healthcare companies. Ab Initio will lose the value of these products if Crestech is not prevented from using and disclosing the trade secrets.

45. Upon information and belief, Crestech has obtained and used Ab Initio's software and Manuals unlawfully, either by purchasing such software on the black market or by making an illegal copy of the software and Manuals.

REQUEST FOR RELIEF

WHEREFORE, Ab Initio respectfully requests that the Court:

1. Temporarily restrain, and preliminarily and permanently enjoin, Crestech, and each of its officers, directors, employees, affiliates, agents, representatives and assigns from reproducing the Works, from preparing or reproducing works based on or incorporating the Works, from distributing copies of the Works or any work based on or incorporating the Works by sale or other transfer of ownership or by rental, lease, or lending, and from displaying or performing such works, including (without limitation) as part of training demonstrations;

2. Temporarily restrain, and preliminarily and permanently enjoin, Crestech, and each of its officers, directors, employees, affiliates, agents, representatives and assigns from using, copying, making use of, distributing, downloading, uploading, or making available on any network including, without limitation, the Internet, and from otherwise using or infringing, the Works, and directing the defendant to return all materials, documents, software (in machine readable form or otherwise), or any other information (whether originals or copies, however

preserved, duplicated, recorded, authored, developed, distributed or produced) from Ab Initio or in any way based on or derived from such materials, documents or software;

3. Temporarily restrain, and preliminarily and permanently enjoin, Crestech, and each of its officers, directors, employees, affiliates, agents, representatives and assigns from destroying, concealing, altering or otherwise disposing of any materials, documents, software (in machine readable form or otherwise), or any other information (whether originals or copies, however preserved, duplicated, recorded, authored, developed, distributed, or produced) from Ab Initio or in any way based on or derived from such materials, documents or software;

4. Temporarily restrain, and preliminarily and permanently enjoin, Crestech, and each of its officers, directors, employees, affiliates, agents, representatives and assigns from using the name "Ab Initio" or any other mark, brand, or designation that is a colorable imitation of or likely to be confused with the trademark Ab Initio and from further infringing Ab Initio's mark in any way, and engaging in further unfair competition and unfair or deceptive acts or practices;

5. Temporarily restrain, and preliminarily and permanently enjoin Crestech, and each of its officers, directors, employees, affiliates, agents, representatives and assigns from using, copying, making use of, distribution, downloading, uploading, making available on any network, including, without limitation, the Internet and from otherwise using or disclosing Ab Initio's Co>Operating System software, GDE software, and/or Manuals, and directing defendant to return all materials, documents, software (in machine readable form or otherwise), or any other information (whether originals or copies, however preserved, duplicated, recorded, authored, developed, distributed or produced) from Ab Initio or in any way based on or derived from such materials, documents or software;

6. Enter judgment for Ab Initio and against Crestech on all applicable Counts;

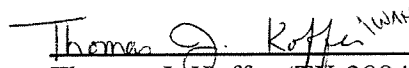
7. Award Ab Initio its actual, statutory, or other damages on all Counts;
8. Award Ab Initio its reasonable attorneys' fees and costs, in accordance with applicable law; and
9. Grant Ab Initio such other relief as the Court may deem just and proper under the circumstances.

JURY DEMAND

Ab Initio demands a trial by jury on all issues so triable.

AB INITIO SOFTWARE CORPORATION

By its attorneys,


Thomas J. Koffler (TK 3894)
Wendy A. Harris
WILMER CUTLER PICKERING
HALE AND DORR LLP
399 Park Avenue
New York, NY 10022
Tel: (212) 230-8800
Fax: (212) 230-8888


Merriann M. Panarella
WILMER CUTLER PICKERING
HALE AND DORR LLP
60 State Street
Boston, MA 02109
Tel: (617) 526-6000
Fax: (617) 526-5000

Dated: July ___, 2006

VERIFICATION

I am the General Counsel of Ab Initio Software Corporation, and am fully familiar with the matters described in this Verified Complaint. I have read the Verified Complaint and verify that the statements set forth in it are true to the best of my knowledge, information and belief.

Signed under the pains and penalties of perjury this 12th day of July, 2006, in Encinitas, California.

A handwritten signature in cursive script that reads "John Land". The signature is written in dark ink and is positioned above a horizontal line.

John Land, Esq.

EXHIBIT A

Form TXFor a Nondramatic Literary Work
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

TX TXU
EFFECTIVE DATE OF REGISTRATION

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼

Ab Initio Co-Operating System v. 2.0

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2 a NAME OF AUTHOR ▼

Ab Initio Software Corporation

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼Was this contribution to the work a
"work made for hire"?
☒ Yes
☐ NoAUTHOR'S NATIONALITY OR DOMICILE
Name of CountryOR { Citizen of ▼
Domiciled in ▼ United StatesWAS THIS AUTHOR'S CONTRIBUTION TO
THE WORK
Anonymous? ☐ Yes ☒ No
Pseudonymous? ☐ Yes ☒ No
If the answer to either of these questions is "Yes," see detailed instructions.NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
Entire work

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼Was this contribution to the work a
"work made for hire"?
☐ Yes
☐ NoAUTHOR'S NATIONALITY OR DOMICILE
Name of CountryOR { Citizen of ▼
Domiciled in ▼WAS THIS AUTHOR'S CONTRIBUTION TO
THE WORK
Anonymous? ☐ Yes ☐ No
Pseudonymous? ☐ Yes ☐ No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼Was this contribution to the work a
"work made for hire"?
☐ Yes
☐ NoAUTHOR'S NATIONALITY OR DOMICILE
Name of CountryOR { Citizen of ▼
Domiciled in ▼WAS THIS AUTHOR'S CONTRIBUTION TO
THE WORK
Anonymous? ☐ Yes ☐ No
Pseudonymous? ☐ Yes ☐ No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

3 a YEAR IN WHICH CREATION OF THIS
WORK WAS COMPLETED

1998

This information
must be given
in all cases.

b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information ONLY if this work
has been published. Month ▼ Day ▼ Year ▼COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as
the author given in space 2. ▼Ab Initio Software Corporation
201 Spring Street, Lexington, MA 02421TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in
space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

N.A.

APPLICATION RECEIVED

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

MORE ON BACK ► • Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 8.DO NOT WRITE HERE
Page 1 of _____ pages

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

See instructions
before completing
this space.

EXAMINED BY

FORM TX

CHECKED BY

☐ CORRESPONDENCE
☐ Yes
FOR
COPYRIGHT
OFFICE
USE
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼
a. ☐ This is the first published edition of a work previously registered in unpublished form.b. ☐ This is the first application submitted by this author as copyright claimant.c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ►

Year of Registration ►

5

DERIVATIVE WORK OR COMPILATION

Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

a

6

See instructions
before completing
this space.

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▼ Account Number ▼

a

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

b

John Land, Esq.
 Ab Initio Software Corporation
 201 Spring Street, Lexington, MA 02421

Area code and daytime telephone number ► 760-696-9151

Fax number ► 781-301-2002

Email ► johnland@abinitio.com

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ►

- ☐
- author
-
- ☐
- other copyright claimant
-
- ☐
- owner of exclusive right(s)

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

☒ authorized agent of Ab Initio Software Corporation

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

8

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

John Land

Date ► January 25, 2006

Handwritten signature (X) ▼

X

Certificate
will be
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window
envelope
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Name ▼

John Land, Esq.

Number/Street/Apt ▼

201 Spring Street

City/State/ZIP ▼

Lexington, MA 02421

YOU MUST:

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SEND ALL 3 ELEMENTS
IN THE SAME PACKAGE:

1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

MAIL TO

Library of Congress
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 Washington, D.C. 20559-6222

For an subject to
 change, for current
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 Copyright Office
 website at
 www.copyright.gov,
 with the Copyright
 Office, or call
 (202) 707-3000.

9

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website at www.copyright.gov, write the Copy-
right Office, or call (202) 707-8000.

Form TXFor a Nondramatic Literary Work
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

TX TXU
EFFECTIVE DATE OF REGISTRATION

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼

Ab Initio Co>Operating System v. 2.6

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2 a NAME OF AUTHOR ▼

Ab Initio Software Corporation

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼Was this contribution to the work a
"work made for hire"? ☒ Yes ☐ NoAUTHOR'S NATIONALITY OR DOMICILE
Name of CountryOR { Citizen of ▼
Domiciled in: United StatesWAS THIS AUTHOR'S CONTRIBUTION TO
THE WORK
Anonymous? ☐ Yes ☒ No
Pseudonymous? ☐ Yes ☒ No
If the answer to either
of these questions is
"Yes," see detailed
instructions.NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
New text added to prior version of work, and existing text of such prior work revised

b NAME OF AUTHOR ▼

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Name of CountryOR { Citizen of ▼
Domiciled in: ▼WAS THIS AUTHOR'S CONTRIBUTION TO
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3 a YEAR IN WHICH CREATION OF THIS
WORK WAS COMPLETED
2000This information
must be given
in all cases.

b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information
ONLY if this work
has been published.

Month ▼ Day ▼ Year ▼

Nation

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Ab Initio Software Corporation
201 Spring Street, Lexington, MA 02421

APPLICATION RECEIVED

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

N.A.

MORE ON BACK ►

• Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
• See detailed instructions.

• Sign the form at line 8.

DO NOT WRITE HERE

Page 1 of _____ pages

EXAMINED BY

FORM TX

CHECKED BY

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☐ Yes
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USE
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Year of Registration ▶

5

DERIVATIVE WORK OR COMPILATION

Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

Previous versions of same-named program

a

6

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before completing
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Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

New text added to prior version of work, and existing text of such prior work revised

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Name ▼ Account Number ▼

a

7

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Fax number ▶ 781-301-2002

Email ▶ johnland@abinitio.com

b

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Check only one ▶

☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of Ab Initio Software Corporation

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

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John Land

Date ▶ January 25, 2006

Handwritten signature (X) ▼

X

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City/State/ZIP ▼

Lexington, MA 02421

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SEND ALL 3 ELEMENTS
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1. Application form
2. Nonrefundable filing fee in check or money order payable to *Register of Copyrights*
3. Deposit material

MAIL TO:

Library of Congress
 Copyright Office - TX
 101 Independence Avenue, S.E.
 Washington, D.C. 20560-6222

Fees are subject to change. For current fees, visit the Copyright Office website at www.copyright.gov, or to the Copyright Office, or call (202) 707-9000.

9

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Form TX

For a Nondramatic Literary Work
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

TX TXU
EFFECTIVE DATE OF REGISTRATION

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 **TITLE OF THIS WORK ▼**

Ab Initio Co>Operating System v. 2.7

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. **Title of Collective Work ▼**

If published in a periodical or serial give: **Volume ▼** **Number ▼** **Issue Date ▼** **On Pages ▼**

2 **a NAME OF AUTHOR ▼**

Ab Initio Software Corporation

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
☒ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of ►
Domiciled in ► United States

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ No
Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
New text added to prior version of work, and existing text of such prior work revised

NAME OF AUTHOR ▼**DATES OF BIRTH AND DEATH**
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
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☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of ►
Domiciled in ►

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NAME OF AUTHOR ▼**DATES OF BIRTH AND DEATH**
Year Born ▼ Year Died ▼

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☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of ►
Domiciled in ►

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3 **a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED**

2000

This information must be given in all cases.

b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information ONLY if this work has been published.

Month ► Day ► Year ►

◀ Nation

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Ab Initio Software Corporation
201 Spring Street, Lexington, MA 02421

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

N.A.

APPLICATION RECEIVED

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

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• Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
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• Sign the form at line 8.

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Page 1 of _____ pages

EXAMINED BY	FORM TX
CHECKED BY	
<input type="checkbox"/> CORRESPONDENCE	FOR COPYRIGHT OFFICE USE ONLY
Yes	

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

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b. ☐ This is the first application submitted by this author as copyright claimant.

c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▶

Year of Registration ▶

DERIVATIVE WORK OR COMPILATION

Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

Previous versions of same-named program

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New text added to prior version of work, and existing text of such prior work revised

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Name ▼

Account Number ▼

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

John Land, Esq.
Ab Initio Software Corporation
201 Spring Street, Lexington, MA 02421

Area code and daytime telephone number ▶ 760-696-9151

Fax number ▶ 781-301-2002

Email ▶ johnland@abinitio.com

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▶

☐ author

☐ other copyright claimant

☐ owner of exclusive right(s)

☒ authorized agent of Ab Initio Software Corporation

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

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John Land

Date ▶ January 25, 2006

Handwritten signature (X) ▼

X

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envelope
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address:

Name ▼

John Land, Esq.

Number/Street/Apt ▼

201 Spring Street

City/State/ZIP ▼

Lexington, MA 02421

YOU MUST:

- Complete all necessary spaces
- Sign your application in space 8

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Washington, D.C. 20559-6222

Fee not subject to
change. For current
fee, check the
Copyright Office
website at
www.copyright.gov,
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(202) 707-3000.

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Form TXFor a Nondramatic Literary Work
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

TX TXU
EFFECTIVE DATE OF REGISTRATION

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼

Ab Initio Co>Operating System v. 2.8

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2 a NAME OF AUTHOR ▼

Ab Initio Software Corporation

Was this contribution to the work a
"work made for hire"?
☒ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of _____
Domiciled in _____ United States

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ NoPseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
New text added to prior version of work, and existing text of such prior work revised

NAME OF AUTHOR ▼

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☐ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of _____
Domiciled in _____

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

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☐ No

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Name of Country

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DATES OF BIRTH AND DEATH

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3 a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED
2000

This information must be given in all cases.

b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information ONLY if this work has been published.

Month _____ Day _____ Year _____

Nation _____

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Ab Initio Software Corporation
201 Spring Street, Lexington, MA 02421

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

N.A.

APPLICATION RECEIVED

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

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MORE ON BACK ►

• Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
• See detailed instructions.

• Sign the form at line 8.

DO NOT WRITE HERE

Page 1 of _____ pages

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

See instructions before completing this space.

EXAMINED BY _____ FORM TX

CHECKED BY _____

☐ CORRESPONDENCE
☐ Yes
FOR
COPYRIGHT
OFFICE
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ONLY

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Year of Registration ►

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New text added to prior version of work, and existing text of such prior work revised

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See instructions
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Name ▼ Account Number ▼

a 7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name / Address / Apt / City / State / ZIP ▼

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Form TX
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UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

TX TXU
EFFECTIVE DATE OF REGISTRATION

Month Day Year

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TITLE OF THIS WORK ▼

Ab Initio Co>Operating System v. 2.9

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If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

NAME OF AUTHOR ▼

a Ab Initio Software Corporation

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?

☒ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country

OR { Citizen of ▼
Domiciled in ▼ United States

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ No
Pseudonymous? ☐ Yes ☒ No

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NAME OF AUTHOR ▼

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☐ No

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Name of Country

OR { Citizen of ▼
Domiciled in ▼

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2001

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
b Complete this information ONLY if this work has been published. Month Day Year

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Ab Initio Software Corporation
201 Spring Street, Lexington, MA 02421

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

N.A.

APPLICATION RECEIVED

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TWO DEPOSITS RECEIVED

FUNDS RECEIVED

MORE ON BACK ▶ • Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 8.

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Page 1 of _____ pages

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

See instructions before completing this space.

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FORM TX

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☐ CORRESPONDENCE
YesFOR
COPYRIGHT
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USE
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼a. ☐ This is the first published edition of a work previously registered in unpublished form.b. ☐ This is the first application submitted by this author as copyright claimant.c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ►

Year of Registration ►

5

DERIVATIVE WORK OR COMPILATION

Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

Previous versions of same-named program

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

New text added to prior version of work, and existing text of such prior work revised

a 6
See instructions
before completing
this space.DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▼ Account Number ▼a 7
b

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt./City/State/ZIP ▼

John Land, Esq.
Ab Initio Software Corporation
201 Spring Street, Lexington, MA 02421

Area code and daytime telephone number ► 760-696-9151

Fax number ► 781-301-2002

Email ► johnland@abinitio.com

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ►

☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of Ab Initio Software Corporation

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

8

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

John Land

Date ► January 25, 2006

Handwritten signature (X) ▼

X

Certificate
will be
mailed in
window
envelope
to this
address:

Name ▼

John Land, Esq.

Number/Street/Apt. ▼

201 Spring Street

City/State/ZIP ▼

Lexington, MA 02421

YOU MUST

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL 3 ELEMENTS
IN THE SAME PACKAGE:

1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

MAIL TO:

Library of Congress
Copyright Office - TX
101 Independence Avenue, S.E.
Washington, D.C. 20559-6222Fees are subject to change. For current fees, check the Copyright Office website at www.copyright.gov, write the Copyright Office, or call (202) 707-3000.

9

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Form TXFor a Nondramatic Literary Work
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

TX TXU
EFFECTIVE DATE OF REGISTRATION

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼

Ab Initio Co>Operating System v. 2.10

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2 a NAME OF AUTHOR ▼

Ab Initio Software Corporation

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼Was this contribution to the work a "work made for hire"?
☒ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of ►
Domiciled in ► United States

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ NoPseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
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3 a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

2001

This information must be given in all cases.

b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information ONLY if this work has been published.

Month ► Day ► Year ►

Nation

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Ab Initio Software Corporation
201 Spring Street, Lexington, MA 02421

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<input type="checkbox"/> CORRESPONDENCE	FOR
Yes	COPYRIGHT
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Year of Registration ►

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Previous versions of same-named program

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Name ▼

Account Number ▼

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☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of Ab Initio Software Corporation

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

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John Land

Date ► January 25, 2006

Handwritten signature (X) ▼

X

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Month Day Year

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1 TITLE OF THIS WORK ▼

Ab Initio Co>Operating System v. 2.11

PREVIOUS OR ALTERNATIVE TITLES ▼

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Ab Initio Software Corporation

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☐ No

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OR { Citizen of ▼
Domiciled in ▼ United States

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

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FORM TX

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